

REC-1160

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

ATTN: BOX AF

		Application Number	09/015,399
		Filing Date	29 January 1998
		First Named Inventor	Ari HINKKANEN
		Examiner Name	G. Woldt
		Group Art Unit	1644
Total Number of Pages in This Submission	_____	Attorney Docket Number	2328-111

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TECH CENTER 1600/2900

APR 24 2002

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input checked="" type="checkbox"/> Request for Continued Examination (RCE) | <input type="checkbox"/> Terminal Disclaimer | Communication |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | REMARKS: | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957			
SIGNATURE		DATE	19 APRIL 2002	DEPOSIT ACCT USER ID
				02-2135

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		Application Number	09/015,399
		Filing Date	29 January 1998
		First Named Inventor	Ari HINKKANEN
		Examiner Name	G. Woldt
		Group Art Unit	1644
Total Amount of Payment	(\$ 1,140.00)	Attorney Docket Number	2328-111

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status
2. Payment Enclosed
 Check
 Credit Card

FEE CALCULATION**1. FILING FEE**

Fee	Fee	Fee Description	Fee Paid
Code	\$		
101	740	Utility filing fee	[]
106	330	Design Filing Fee	[]
107	510	Plant Filing Fee	[]
108	740	Reissue Filing Fee	[]
114	160	Provisional Filing Fee	[]

SUBTOTAL \$**2. CLAIMS**

Total Claims	Independent	Extra Claims	Fee	Fee Paid
[]	- 20** = []	x \$18 = []		
Claims	[] - 3** = []	x 84 = []		
Multiple Dependent Claims	[]	+ 280 = []		

**or number previously paid, if greater;

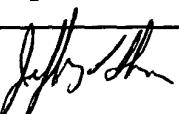
SUBTOTAL \$**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[]
127	50	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
115	110	Extension for reply within first month	[]
116	400	Extension for reply within second month	[400.00]
117	920	Extension for reply within third month	[]
118	1,440	Extension for reply within fourth month	[]
128	1,960	Extension for reply within fifth month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive -unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
144	620	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
146	740	Filing a submission after final rejection (37 CFR .129(a))	[]
149	740	For each additional invention to be examined (37 CFR 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[740.00]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL

\$ 1,140

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957			
SIGNATURE		DATE	19 APRIL 2002	DEPOSIT ACCT USER ID
				02-2135



Post office
RCE
APR 24 2002
4/25/02

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

Application Number	09/015,399
Filing Date	29 January 1998
First Named Inventor	Ari HINKKANEN
Group Art Unit	1644
Examiner Name	G. Woldt
Attorney Docket No.	2328-111

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on 13 September 2001
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declarations
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Communication
2. Miscellaneous
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.170(i) required.)
 - b. Other _____
3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2135.
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ 1,140.00 (740.00 and 400.00) enclosed.
 - c. Payment by credit card (Form PTO-2038 enclosed.)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957		
SIGNATURE		DATE	19 APRIL 2002

12/2002 CCHAU1 00000024 09015399
PCT115 400.00 DP

12/2002 CCHAU1 00000024 09015399
PCT115 740.00 DP



**UNITED STATES
PATENT AND TRADEMARK
OFFICE**

<i>PATENT & TRADEMARK OFFICE USA</i>	<i>Application Number</i>	09/015,399
	<i>Filing Date</i>	29 January 1998
	<i>First Named Inventor</i>	Ari HINKKANEN
	<i>Group Art Unit</i>	1644
	<i>Examiner Name</i>	G. Woldt
	<i>Attorney Docket No.</i>	2328-111

Title of the Invention: A NEW FUSION PROTEIN AND ITS USE IN AN IMMUNOASSAY FOR THE SIMULTANEOUS DETECTION OF AUTOANTIBODIES RELATED TO INSULIN-DEPENDENT DIABETES MELLITUS

APR 24 2002

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COMMUNICATION

Assistant Commissioner for Patents
ATTN: BOX AF
 Washington, D.C. 20231

Dear Sir:

In response to the Advisory Action mailed 12 October 2001 for the above-identified application, Applicants concurrently submit herewith a Request for Continued Examination (RCE).

Applicants note that the Amendment After Final filed 13 September 2001, to be entered upon filing the instant RCE, cancels claims 4, 21, 22, 25 and 26. Accordingly, it is submitted that the Examiner is incorrect in his comments concerning new issues under 35 USC §112, second paragraph. It is further submitted that the pending claims are only of a scope previously indicated by the Examiner to be allowable.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE			DATE	19 APRIL 2002	
Address	ROTHWELL, FIGG, ERNST & MANBECK, pc Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031